

**DISTRICT OF COLUMBIA BUILDING CODE ADVISORY COMMITTEE**  
**c/o DCRA/BLRA · 941 North Capitol Street, NE, Ste. 2000 · Washington, DC 20002**

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**CODE CHANGE PROPOSAL FORM**

**2003 ICC FAMILY OF CODES**

PAGE 1 OF 23

CODE: IFC

SECTION NO. Chap 1

SUBCOMMITTEE AMENDMENT NO. FLS-14

PROPOSING SUBCOMMITTEE:

CHAIR:

PHONE:

E-mail:

DATES: OF PROPOSAL: 4/18/05

BCAC PRESENTATION: 4/20/05

BCAC APPROVAL:

CHECK ONE

☐

*Revise section to read as follows:*

☒

*Delete section and substitute the following:*

☐

*Add new section to read as follows:*

☐

*Delete section without substitution.*

**TYPE ALL TEXT IN 12-POINT TIMES NEW ROMAN FONT**

~~**LINE THROUGH TEXT TO BE DELETED**~~ (highlight text, under Format, click font and check strikethrough)

**UNDERLINE TEXT TO BE ADDED**

Use additional sheets of the form, if necessary.

(See following pages)

This amendment is being proposed by the Executive Committee. Please contact Marc Fetterman, 202/625-2525 ([fetterman-dc@att.net](mailto:fetterman-dc@att.net)) with questions, comments, etc.

Only changes to the current 2003 12 DCMR Chapter are underlined.

Anticipated impact of code change on cost of construction (CHECK ONE)

☐ *Increase*

☐ *Decrease*

☒ *Negligible*

☐ *Unknown*

*If "Increase" box was checked, indicate estimated range of added cost:*

*Per 1,000 SF single-family dwelling to*

*Per 1,000SF of commercial building to*

**JUSTIFICATION OF CHANGE:**

Policy 2. Readoption of administrative provisions.

**DISTRICT OF COLUMBIA  
BUILDING CODE SUPPLEMENT OF 2005  
DCMR 12H FIRE CODE**

***CHAPTER 1H ADMINISTRATION AND ENFORCEMENT***

*Delete Chapter 1 of the International Fire Code and substitute the following sections.*

**SECTION F-101 GENERAL**

**F-101.1 Title.** The ICC International Fire Code/2003 as amended by the D.C. Fire Prevention Code Supplement/2005 (DCMR 12H) shall constitute the D.C. Fire Prevention Code/2005, hereinafter referred to as the “Fire Prevention Code”.

**F-101.2 Scope.** These regulations prescribe minimum requirements and controls to safeguard life, property or public welfare from the hazards of fire and explosion arising from the storage, handling or use of substances, materials or devices and from conditions hazardous to life, property or public welfare in the use or occupancy of structures, or premises.

**F-101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted.

**F-101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public safety, health and welfare insofar as they are affected by conditions which cause fire or explosion and panic resulting therefrom; and; in general, to secure safety to life and property from fire hazards incidents to the use, occupancy and maintenance of structures or premises.

**F-101.4 Severability.** An illegal or void part of this code shall be segregated from the remainder of the code by the court holding such part illegal or void, and the remainder of the code shall remain in effect.

**F-101.5 Validity.** If any part or provision of the Fire Prevention Code is held illegal or void, this shall not make void or illegal any other parts or provisions of the Fire Prevention Code which are determined to be legal. It shall be presumed that the Fire Prevention Code would have been enacted and adopted without such illegal or void parts or provisions.

**F-101.6 Application of References.** Unless otherwise specifically provided for in this code, all references to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**F-101.7 Chapters and Section Numbering.** The chapters and sections of the D.C. Fire Prevention Code Supplement are numbered to concur and coordinate with the numbering system of the ICC International Fire Code/2003.

**F-101.8 Provisions.** The provisions of the District of Columbia Fire Prevention Code Supplement are intended to amend and clarify the International Fire Code requirements and make provisions for local District of Columbia regulations not contained in the International Fire Code.

## **SECTION F-102 APPLICABILITY**

**F-102.1 Buildings and Property.** This code shall be applicable to all buildings and premises within the District of Columbia and the structures appurtenant to such buildings, including buildings and structures appurtenant to premises occupied by or for any foreign government as an embassy or chancery, to the extent provided for in Section 206 of the Foreign Missions Act, approved August 24, 1982 (96 Stat. 286; D.C. Code, Section 6-1306(g) (2001 ed.)). The provisions of this code shall not apply to public buildings or premises owned by the United States Government, including appurtenant structures and portions of buildings, premises, or structures that are under the exclusive control of an officer of the United States Government in his or her official capacity. If a lessor is responsible for maintenance and repairs to property leased to the United States Government, the property shall not be deemed to be under the exclusive control of an officer of the United States Government.

**F-102.2. Administrative, Operational and Maintenance Provisions.** The administrative, operational and maintenance provisions of this code shall apply to:

1. Conditions and operations arising after the adoption of this code;
2. Existing conditions and operations.

**F-102.3 Change of Use of Occupancy.** It shall be unlawful to make any change in the use or occupancy of any structure or portion thereof which would subject it to any special provisions of the Construction Codes without first complying with those provisions for the new use by obtaining approval for the new use through issuance of a building permit and a certificate of occupancy. Work required for compliance with this section shall be performed under a duly issued building permit and shall comply with Section 102.6.4 of the building code.

**F-102.4 Application of Building Code.** The design and construction of new structures to provide egress facilities, fire protection, and built-in fire protection equipment shall be controlled by the District of Columbia building code, and any alterations, additions or changes in structures required by this code which are within the scope of the District of Columbia building code shall be made in accordance therewith.

**F-102.5 Historic Buildings.** The provisions of this code shall not be mandatory for historic buildings or structures meeting the requirements of Chapter 10 of the Existing Building Code, when such buildings or structures are judged by the building code official to be safe and in the public interest of health, safety and welfare. The code official is authorized to approve a fire protection plan developed in accordance with the provisions of NFPA 909 for any designated historic building or structure.

**F-102.6 Referenced Codes and Standards.** The standards referenced in this code and listed in Chapter 45 shall be considered part of the requirements of this code to the prescribed extent of each such reference.

**F-102.6.1 Conflicting Provisions.** If conflict arises between the provisions of D.C. Law 6-216, Construction Codes Approval and Amendments Act of 1986, as amended, and the D.C. Supplement, the International Fire Code or its referenced standards, the provisions of D.C. Law 6-216 shall precedence. If conflict arises between the D.C. Supplement, the

International Fire Code/2003, and its reference standards.

1. The provisions of the D.C. Supplement shall take precedence over the International Fire Code and its referenced standards.
2. The provisions of the International Fire Code other than its referenced standards shall take precedence over its referenced standards.

**F-102.7 Subjects not Regulated by this Code.** Where no applicable standards or requirements are set forth in this code, or are contained within other laws, codes or regulations adopted by the District of Columbia, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved, shall be deemed prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the code official to determine compliance with codes or standards for those activities or installations within the code official's jurisdiction or responsibility.

**F-102.8 Matters Not Provided For.** Any requirement essential for fire safety of an existing building or structure, or essential for the safety of the occupants thereof, and which is not specifically covered by this code, shall be determined by the code official based on common fire protection engineering practices and relevant industry standards.

## **SECTION F-103 THE FIRE DEPARTMENT**

**F-103.1 The Department.** The Fire Chief of the Fire and Emergency Medical Service Department shall be the code official for the enforcement of this code, except as provided in Subsection F-105.1. References to the term "Department" within the Fire Prevention Code shall mean the Fire and Emergency Medical Services Department, except that references to the term "Department" in all provisions pertaining to the approval, installation, design, modification, maintenance, testing, and inspections of all new and existing fire protection systems shall mean the Department of Consumer and Regulatory Affairs.

## **SECTION F-104 APPROVAL**

**F-104.1 Approved Materials and Equipment.** All materials, equipment and devices approved for use by the code official shall be constructed and installed in accordance with the conditions of such approval.

**F-104.2 Modifications.** When there are practical difficulties or undue economic hardship involved in complying with the provisions of this code, the code official is permitted to vary or modify such provisions upon application of the owner or the owners representative, provided that the spirit and intent of the law shall be observed and public welfare and safety be insured. The code official may seek the opinion of the Corporation counsel when deemed necessary for the requested modification.

**F-104.2.1 Records.** The application for modification and the final decision of the code official shall be in writing and shall be officially recorded in the permanent records of the department.

**F-104.3 Used Materials and Equipment.** Used materials, equipment and devices shall not be re-used unless they have been reconditioned, tested and placed in good and proper working

condition and approved for use by the code official.

**F-104.4 Alternative Methods and Materials.** The provisions of this code are not intended to prevent the use of any material or method of work not specifically prescribed by this code, provided such alternative has been approved. The approval of such alternative shall comply with the intent of the provisions of this code. The material, or method of work offered shall be, for the purposed intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

**F-104.4.1 Research and Investigations.** Sufficient technical data shall be submitted to substantiate the proposed installation of any material or assembly. If it is determined that the evidence submitted is satisfactory proof of performance for the proposed installation, the code official shall approve such alternative, subject to the requirements of this code. The costs of all tests, reports and investigations required under these provisions shall be paid by the applicant.

**F-104.4.2 Research Reports.** Supporting data, where necessary to assist in the approval of all materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

## **SECTION F-105 AUTHORITY**

**F-105.1 Code Official.** The Fire Chief of the Fire and Emergency Medical Services Department shall be the code official for the enforcement of this code, except that the Director of the Department of Consumer and Regulatory Affairs shall be the code official for the enforcement of all provisions pertaining to the approval, installation, design, modification, maintenance, testing, and inspections of all new and existing fire protection systems.

**F-105.2 Appointment.** The Fire Chief of the Fire and Emergency Medical Service Department shall be the code official for the enforcement of this code, except as provided in Section F-105.1. References to the term “Department” within this code shall mean the Fire and Emergency Medical Services Department, except that references to the term “Department” in all provisions pertaining to the approval, installation, design, modification, maintenance, testing, and inspections of all new and existing fire protection systems shall mean the Department of Consumer and Regulatory Affairs.

**F-105.2.1 Delegation of Authority.** The code official may delegate his or her duties and powers under this code, but he or she shall remain the responsible official for the proper performance of those duties and powers.

**F-105.3 Organization.** The code official shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of this code and as authorized by the appointing authority.

**F-105.4 Deputy.** The code official is authorized to designate an employee as deputy who shall exercise all the powers of the code official during the temporary absence or disability of the code official.

**F-105.5 Restriction of Employees.** An official or employee connected with the enforcement of this code, except one whose only connection is that of a member of the board of appeals

established under the provisions of Section F-113, shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials, devices or appliances for the construction, alteration or maintenance of a building under the jurisdiction of this code, or the preparation of plans or of specifications therefore, unless that person is the owner of the building; nor shall such officer or employee engage in any work which conflicts with official duties or with the interests of the Department.

**F-105.6 Relief From Personal Responsibility.** The code official, officer or employee charged with the enforcement of this code, while acting for the District of Columbia, shall not thereby be rendered liable personally and is hereby relieved from all personal liability for any damage accrued to persons or property as a result of any act required or permitted in the discharge of official duties.

**F-105.6.1 Jurisdictional Liability.** The District of Columbia shall not be liable under this code for any damage to persons or property, by reason of the inspection or re-inspection of structures or equipment authorized herein, or failure to inspect or re-inspect such structures or equipment or by reason of the approval or disapproval of any structure or equipment authorized therein.

## **SECTION F-106 DUTIES AND POWERS OF THE CODE OFFICIAL**

**F-106.1 General.** The code official shall enforce the provisions of this code and shall act on any question relative to the mode or manner of construction and the materials to be used in the location, use, occupancy and maintenance of all structures, except as otherwise specifically provided for by statutory requirements or by Section F-105.1.

**F-106.2 Applications and Permits.** The code official shall receive applications and issue permits as provided in Section F-107, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

**F-106.3 Building Notices and Orders.** The code official shall issue all necessary notices and orders to ensure compliance with this code.

**F-106.4 Inspections.** The code official shall make all the required inspections, except that the code official is authorized to accept reports of inspections by approved agencies or individuals. All reports of such inspections shall be in writing and certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such experts as deemed necessary to report upon unusual technical issues that may arise.

**F-106.5 Identification.** The code official and authorized representatives shall carry proper credentials of their respective offices when inspecting any structures and premises in the performance of duties under this code.

**F-106.6 Rules and Regulations.** The code official shall have the authority, as necessary in the interest of public safety, health and general welfare to promulgate rules and regulations, to interpret and implement the provisions of this code, to secure the intent thereof and to designate requirements applicable because of local and climatic or other conditions. Such rules shall not have the effect of waving any fire safety requirements specifically provided for in this code, or of violating accepted engineering practices involving public safety.

**F-106.7 Department Records.** The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records as long as the building or structure to which they relate remains in existence unless otherwise provided by other regulations.

**F-106.7.1 Public Access to Records.** Official records of the Department shall be available for public inspection at all appropriate times, under procedures established by the code official. Such procedures shall be approved by the Corporation Counsel for legal sufficiency.

## **SECTION F-107 PERMITS**

**F-107.1 Permits Required.** Permits shall be obtained from the code official in accordance with the provisions of this code. Permits shall at all times be kept in the premises designated therein and shall at all times be subject to inspection by the code official.

**F-107.2.1 Application for Permit.** Application for a permit required by this code shall be made to the code official on a form provided by the code official. Applications for permits shall be accompanied by construction documents, technical information and any other information required by the code official for evaluation of the application.

**F-107.3 Action on Application.** The code official shall examine or cause to be examined all applications for permits and amendments thereof within a reasonable time after filing. If the code official is satisfied that the proposed work or operation conforms to the requirements of this code and all laws and ordinances applicable thereto, the code official shall issue a permit therefore as soon as practicable. If the application or the construction documents do not conform to the requirements of all pertinent laws, the code official shall notify the applicant in writing, identifying the non-conforming items and the corresponding relevant code sections.

**F-107.4 Inspections and Tests.** Before a permit is issued, the code official or the code official's designated representative shall make or cause to be made such inspections or tests as are necessary to assure that the use and activities for which application is made comply with the provisions of this code.

**F-107.5 Conditions of Permit.** A permit shall constitute permission to maintain, store, or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities in accordance with the provisions of this code. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Said permit shall remain in effect until revoked, or for such period of time as specified on the permit. Permits are not transferable and any change in use, operation or tenancy shall require a new permit.

**F-107.6 Approved Construction Documents.** Construction documents approved by the code official are approved with the intent that they comply in all respects with this code. Any omissions or errors on the construction documents do not relieve the applicant from having to comply with this code.

**F-107.7 Revocation of Permit.** The code official shall have the authority to revoke a permit or approval issued under the provisions of this code if, upon inspection, any significant violation of

the code exists, or if conditions of a permit have been violated, or if there has been any substantive false statement or misrepresentation as to material fact in the application, data or plans on which the permit or approval was based.

**F-107.7.1 Lapsed Permit.** Any permit issued shall become invalid if the authorized work or activity has not commenced within six (6) months after issuance of the permit, or if the authorized work or activity has been suspended or abandoned for a period of six months after the authorized work or activity has commenced.

**F-107.8 Payment of Fee.** A permit shall not be issued until the established fees have been paid, as follows:

### **PERMIT FEE SCHEDULE**

#### **REINSPECTION AND SUPPLEMENTAL PERMITS:**

Re-inspection (first re-inspection of each kind of inspection is included in the original permit fee; re-inspection fee applies to second and subsequent required re-inspections due to incomplete or incorrect work) per site visit and per discipline.

Residential re-inspection (1 and 2 family dwellings)	\$65.00
Commercial re-inspection	\$130.00

#### **PERMITS, GENERAL:**

Propane (200 pounds or less)	\$100.00
For each pound in excess of 200 pounds	\$ .50
Bonfires/open burning	\$150.00
Explosives site permit (dynamite/nitro) (Valid for 45 business days)	\$500.00
Explosives vehicle inspection, per vehicle (Valid for 45 business days)	\$100.00
Fireworks Aerial Display Permit	\$300.00
Fireworks Retail and Stand Permit	\$150.00
Special Effect and Pyrotechnics Display Permit	\$150.00
Miscellaneous (minimum fee)	\$100.00

#### **FUEL STORAGE TANKS:**

Fuel storage tanks (AST's and UST's), review of shop drawings and installation inspections	\$150.00
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Above ground storage tank (AST's), annual inspection and registration	\$50.00
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EXHIBIT PLANS REVIEW:

Per Set	\$100.00
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OVERTIME REQUESTS:

Per inspector, per hour	\$60.00
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HAZARDOUS MATERIALS MITIGATION FEE:

Equipment, materials and supplies	Replacement Cost
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USE OF FIRE TRUCK:

Use of fire truck, four to five firefighters and equipment for parades, festivals and other special events, per hour	\$400.00
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**F-107.9 Types of permits.** There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or business for which a permit is required by Section F-107.10 for either:
  - 1.1 A prescribed period.
  - 1.2. Until renewed or revoked
2. Installation permit. An installation permit allows the applicant to install or modify systems and equipment for which a permit is required by Section F-107.11.

**F-107.10 Required Operational Permits.** The code official is authorized to issue operational permits for the operations set forth in Sections F-107.10.1 through F-107.10.43.

**F-107.10.1 Aerosol products.** An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.

**F-107.10.2 Amusement buildings.** An operational permit is required to operate a special amusement building.

**F-107.10.3 Aviation facilities.** An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.

**F-107.10.4 Battery systems.** A permit is required to install stationary lead-acid battery systems having a liquid capacity of more than 50 gallons (189L).

**F-107.10.5 Cellulose nitrate film.** An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.

**F-107.10.6 Combustible dust-producing operations.** An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.

**F-107.10.7 Combustible fibers.** An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (1.2m<sup>3</sup>).

**Exception:** A permit is not required for agricultural storage.

**F-107.10.8 Compressed gases.** An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed in Table F-107.10.8.

**Exception:** Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.

**TABLE F-107.10.8**  
**PERMIT AMOUNTS FOR COMPRESSED GASES**

<b>TYPE OF GAS</b>	<b>AMOUNT (cubic feet at NTP)</b>
Corrosive	200
Flammable (except cryogenic fluids and liquefied petroleum gases)	200
Highly toxic	Any amount
Inert and simple asphyxiant	6,000
Oxidizing (including oxygen)	504
Toxic	Any amount

**F-107.10.9 Cryogenic fluids.** An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table F-107.10.9.

**TABLE F-107.10.9**  
**PERMIT AMOUNTS FOR CRYOGENIC FLUIDS**

<b>TYPE OF CRYOGENIC FLUID</b>	<b>INSIDE BUILDING (gallons)</b>	<b>OUTSIDE BUILDING (gallons)</b>
Flammable	More than 1	60
Inert	60	500
Oxidizing (including oxygen)	10	50
Physical or health hazard not	Any amount	Any amount

For SI: 1 gallon = 3.785L

**F-107.10.10 Cutting and welding.** An operational permit is required to conduct cutting or welding operations within the jurisdiction.

**F-107.10.11 Dry cleaning plants.** An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.

**F-107.10.12 Exhibits and trade shows.** An operational permit is required to operate exhibits and trade shows.

**F-107.10.13 Explosives.** An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosive, explosive material, firework, or pyrotechnic special effects within the scope of Chapter 33.

**F-107.10.14 Flammable and combustible liquids.** An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by The Department of Transportation (DOT) nor does it apply to piping systems.
2. To store, handle or use Class 1 liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:
3. The storage or use of Class 1 liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the code official, would cause an unsafe condition.
4. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than thirty (30) days.
5. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.
6. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.
7. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.

8. To install, alter, remove, abandon, place temporarily out of service (for more than 90 days) or otherwise dispose of an underground, protected above-ground or above-ground flammable or combustible liquid tank.
9. To change the type of contents stored in a flammable or combustible liquid tank to a material which poses a greater hazard than for which the tank was designed and constructed.
10. To manufacture, process, blend or refine flammable or combustible liquids.

**F-107.10.15 Floor finishing.** An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m ) using Class I or Class II liquids.

**F-107.10.16 Fruit and crop ripening.** An operational permit is required to operate a fruit-, or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.

**F-107.10.17 Fumigation and thermal insecticidal fogging.** An operational permit is required to operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.

**F-107.10.18 Hazardous materials.** An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table F-107.10.18.

**TABLE F-107.10.18**  
**PERMIT AMOUNTS FOR HAZARDOUS MATERIALS**

TYPE OF MATERIAL	AMOUNT
<b>Combustible liquids</b>	See Section 107.10.14
<b>Corrosive materials</b>	
Gases	Any amount in malls
Liquids	55 gallons
Solids	1,000 pounds
<b>Explosive materials</b>	See Section 107.10.13
<b>Flammable materials</b>	
Gases	Any amount in malls
Liquids	See Section 107.10.14
Solids	100 pounds
<b>Highly toxic materials</b>	
Gases	Any amount in malls
Liquids	Any amount
Solids	Any amount
<b>Oxidizing materials</b>	
Gases	Any amount in malls
Liquids	

Class 4	Any amount
Class 3	1 gallon
Class 2	10 gallons
Class 1	55 gallons
Solids	
Class 4	Any amount
Class 3	10 pounds
Class 2	100 pounds
Class 1	500 pounds
<b>Organic Peroxides</b>	
Liquids	
Class I	Any amount
Class II	Any amount
Class III	1 gallon
Class IV	2 gallons
Class V	No permit required
Solids	
Class I	Any amount
Class II	Any amount
Class III	10 pounds
Class IV	20 pounds
Class V	No permit required
<b>Pyrophoric materials</b>	
Gases	Any amount in malls
Liquids	Any amount
Solids	Any amount
<b>Toxic materials</b>	
Gases	Any amount in malls
Liquids	10 gallons
Solids	100 pounds
<b>Unstable (reactive) materials</b>	
Liquids	
Class 4	Any amount
Class 3	Any amount
Class 2	5 gallons
Class 1	10 gallons
Solids	
Class 4	Any amount
Class 3	Any amount
Class 2	50 pounds
Class 1	100 pounds
<b>Water-reactive materials</b>	
Liquids	
Class 3	Any amount
Class 2	5 gallons
Class 1	55 gallons
Solids	

Class 3	Any amount
Class 2	50 pounds
Class 1	500 pounds

For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg

**F-107.10.19 HPM facilities.** An operational permit is required to store, handle or use hazardous production materials.

**F-107.10.20 High-piled storage.** An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m<sup>2</sup>).

**F-107.10.21 Hot work operations.** An operational permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment inside a structure.

**Exceptions:**

1. Work that is conducted under a construction permit.
2. Fixed-site hot work equipment such as welding booths.
3. Hot work conducted within a hazardous fire area.
4. Applications of roof coverings with the use of an open-flame device.

When approved, the code official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in this chapter. These permits shall be issued only to their employees or hot operations under their supervision.

**F-107.10.22 Industrial ovens.** An operational permit is required for operations of industrial ovens regulated by Chapter 21.

**F-107.10.23 Lumber yards and woodworking plants.** An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft<sup>3</sup>)(236 m<sup>3</sup>).

**F-107.10.24 Liquid- or gas-fueled vehicles or equipment in assembly buildings.** An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.

**F-107.10.25 LP-gas.** An operational permit is required:

1. Storage and use of LP-gas.

2. Operation of cargo tankers that transport LP-gas.

**F-107.10.26 Magnesium.** An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.

**F-107.10.27 Miscellaneous combustible storage.** An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m<sup>3</sup>). Gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.

**F-107.10.28 Open burning.** An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

**F-105.6.32 Open flames and torches.** An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a hazardous fire area.

**F-105.6.33 Open flames and candles.** An operational permit is required to use open flames or candles in connection with assembly areas, ~~dining areas of restaurants or drinking establishments.~~

**Exception:** Religious Occupancies, candles in restaurants

**F-107.10.30 Organic coatings.** An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4L) of an organic coating in one day.

**F-107.10.31 Places of assembly.** An operational permit is required to operate a place of assembly.

**Exception:** Places of public assembly with an occupant load of less than 100 persons.

**F-107.10.32 Private fire hydrants.** An operational permit is required for the removal from service, use or operation of private fire hydrants.

**Exception:** A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.

**F-107.10.33 Pyrotechnic special effects material.** An operational permit is required for use and handling of pyrotechnic special effects material.

**F-107.10.34 Pyroxylin plastics.** An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics.

**F-107.10.35 Refrigeration equipment.** An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.

**F-107.10.36 Repair garages and service stations.** An operational permit is required for operation of repair garages and automotive, marine and fleet service stations.

**F-107.10.37 Rooftop heliports.** An operational permit is required for the operation of a rooftop heliport.

**F-107.10.38 Spraying or dipping.** An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 15.

**F-107.10.39 Storage of scrap tires and tire byproducts.** An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m<sup>3</sup>) of total volume of scrap tires and for indoor storage of tires and tire byproducts.

**F-107.10.40 Tire-rebuilding plants.** An operational permit is required for the operation and maintenance of a tire-rebuilding plant.

**F-107.10.41 Waste handling.** An operational permit is required for the operation of wrecking yards, junkyards and waste material-handling facilities.

**F-107.10.42 Wood products.** An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m<sup>3</sup>).

**F-107.11 Required installation permits.** The code official is authorized to issue installation permits for work as set forth in Sections F-107.11.1 through F-107.11.5.

**F-107.11.1 Compressed gases.** When the compressed gases in use or storage exceed the amounts listed in Table F-107.10.8, an installation permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a compressed gas system.

**Exceptions:**

1. Routine maintenance.
2. For emergency repair work performed on an emergency basis, application for a permit shall be made within two working days of commencement of work. The permit applicant shall apply for approval to close storage, use or handling facilities at least 30 days prior to the termination of the storage, use or handling of compressed or liquefied gases. Such application shall include any change or alteration of the facility closure plan filed pursuant to Section 2701.5.3. The 30-day period is not applicable when approved based on special circumstances requiring such waiver.

**F-107.11.2 Flammable and combustible liquids.** An installation permit is required:

1. To repair or modify a pipeline for the transportation of flammable or combustible liquids.
2. To install, construct or alter tank vehicles, equipment, tanks, plants, terminals,



wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.

3. To install, alter, remove, abandon, place temporarily out of service or otherwise dispose of a flammable or combustible liquid tank.

**F-107.11.3 Hazardous materials.** An installation permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a storage facility or other areas regulated by Chapter 27 when the hazardous materials in use or storage exceed the amounts listed in Table F-107.10.18.

**Exceptions:**

1. Routine maintenance
2. For emergency repair work performed on an emergency basis, application for permit shall be submitted on the first business day following the commencement of work.

**F-107.11.4 LP-gas.** An installation permit is required for installation or modification of an LP-gas system.

**F-107.11.5 Spraying or dipping.** An installation permit is required to install or modify a spray room, dip tank or booth.

## **SECTION F-108 INSPECTIONS**

**F-108.1 Inspections.** The code official shall inspect all structures and premises, except single-family dwellings and dwelling units in two-family and multiple family dwellings, for the purposes of ascertaining and causing to be corrected any conditions liable to cause fire, contribute to the spread of fire, interfere with fire fighting operations, endanger life or any violations of the provisions or intent of this code or any other ordinance affecting fire safety.

**F-108.2 Coordination of Inspections.** Whenever in the enforcement of the District of Columbia Fire Prevention Code or another code or ordinance, the responsibility of more than one code official of the District of Columbia is involved, it shall be their duty to coordinate their inspections and administrative orders as fully practicable so the owners and occupants of the structure shall not be subjected to visits by numerous inspectors nor multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual violation of a provision of a law, ordinance or code of the District of Columbia not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

**F-108.3 Right of Entry.** Whenever necessary for the purpose of enforcing the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in any structure or upon any premises, any condition which makes such structure or premises unsafe, the code official shall be permitted to enter such structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the code official by this code; provided that if such structure or premises are occupied, the code official shall first present proper credentials and request entry. If entry is refused or not obtained, the code official is authorized

to pursue recourse as provided by law to secure entry.

**F-108.4 Concealed work.** Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the code official shall have the authority to require that such work be exposed for inspection.

## **SECTION F-109 AUTHORITY AT THE SCENE OF FIRES AND OTHER EMERGENCIES**

**F-109.1 Fire and Arson Investigation Authority.** The Fire Chief, the Fire Marshal, and his authorized representative shall have the authority to investigate the cause, origin, and circumstances of every fire, explosion, or hazardous materials emergency in which the Fire Department has a reasonable interest. When the Fire Chief, the Fire Marshal, or his authorized representative has reason to believe that a fire, explosion, or hazardous materials incident may be the result of any violation of the law, he shall immediately take custody of and safeguard all physical evidence in connection therewith, and shall have the authority to prohibit the disturbance or removal of any materials, substance, device, or utility in, or upon, any building or property where an incident occurred, until the investigation of the incident is complete. Provided however, that the Metropolitan Police Department shall be the primary investigative agency in incidents involving critical injury, death, or assaults with intent to kill.

**F-109.2 Fire Records.** The Fire Chief shall keep a record of all fires and all facts concerning the same, including investigation findings and statistics and information as to the cause, origin and extent of such fires and the damage caused thereby.

**F-109.3 Authority to Enter and Examine.** The Fire Chief, the Fire Marshal or his authorized representative or representatives shall have the authority at all times, in performance of the duties imposed by the provisions of this subsection, to enter upon or examine any area, building or premises, vehicle or other thing when there is a probable cause to believe that fires or attempts to cause fires exist. The Fire Chief, Fire Marshall or authorized representative(s) shall have the authority to enter, at any time, any building or property adjacent to that at which the fire or attempt to cause fires has occurred should they deem it necessary in the proper discharge of their duties, and are authorized, in their discretion, to take full control and custody of such buildings and premises and place such person in charge thereof as they may deem proper until their examination and investigation is completed.

**F-109.4 Arrest and Warrant Powers.** The Fire Marshal and such other personnel as are designated in writing by the Fire Chief shall have and exercise, and are hereby invested with, the same general police powers, including arrest powers, as regular members of the Metropolitan Police Department for the express purpose of enforcing the fire safety laws in effect in the District of Columbia, including, but not limited to, this subsection. This power shall extend to any arrest, the securing of warrants pursuant to Chapter 5 of Title 23 of the D.C. Official Code or other lawful action necessary by permit to the peaceful completion of any lawful action by the Fire Department.

**F-109.5 Authority at Fires and Other Emergencies.** The Fire Chief or officer of the Fire Department in charge at the scene of a fire or other emergency involving the protection of life or property or any part thereof, shall have the authority to direct such operation as necessary to extinguish or control any fire, perform any rescue operation, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or situations, or take any other action necessary in the reasonable performance of duty. In the exercise of such power, the

Fire Chief is authorized to prohibit any person, vehicle, vessel or thing from approaching the scene and is authorized to remove, or cause to be removed or kept away from the scene, any vehicle, vessel or thing which could impede or interfere with the operations of the Fire Department and, in the judgment of the Fire Chief, any person not actually and usefully employed in the extinguishing of such fire or in the preservation of property in the vicinity thereof.

**F-109.6 Barricades.** The Fire Chief or incident commander or fire official or investigator in charge at the scene of an emergency is authorized to place ropes, guards, barricades or other obstructions across any street, alley, place or private property in the vicinity of such operation so as to prevent accidents or interference with the lawful efforts of the Fire Department or to manage and control the situation and to handle fire apparatus.

**F-109.7 Obstructing operations.** No person shall obstruct the operations of the Fire Department in connection with extinguishment or control of any fire, or actions relative to other emergencies, or disobey any lawful command of the Fire Chief or officer of the Fire Department in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the Fire Department.

**F-109.8 Systems and devices.** No person shall render a system or device inoperative during an emergency unless by direction of the Fire Chief or Fire Department official in charge of the incident.

## **SECTION F-110 UNSAFE CONDITIONS**

**F-110.1 General.** Whenever the code official or the code official's designated representative finds in any structure or upon any premises dangerous or hazardous conditions or materials, the code official shall order such dangerous conditions or materials to be removed or remedied in accordance with the provisions of this code. When necessary to secure safety in addition thereto, the code official shall be authorized to prescribe limitations on the handling and storage of materials or substances or upon operations that are liable to cause fire, contribute to the spread of fire, or endanger life or property. Dangerous conditions or materials include, but are not limited to, the following:

1. Hazardous conditions, which are liable to cause or contribute to the spread of fire in or on, said premises, building or structure or endanger life or property.
2. Conditions, which interfere with the efficient operation of any, fire protection equipment and system.
3. Obstruction to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the egress of occupants or the operation of the Fire Department in case of fire.
4. Accumulations of dust or waste material in air conditioning or ventilating systems, or grease in kitchen or other exhaust ducts.
5. Accumulations of grease on kitchen cooking equipment, or oil, grease or dirt upon, under or around any mechanical equipment.

6. Accumulations of rubbish, waste, paper, boxes, shavings, or other combustible materials, or excessive storage of any combustible material.
7. Hazardous conditions arising from defective or improperly used or installed electrical wiring, equipment or appliances.
8. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible, explosive or otherwise hazardous materials.
9. Dangerous or unlawful amounts of combustible, explosive or otherwise hazardous materials.
10. All equipment, materials, processes or operations, which are in violation of the provisions and intent of this code.
11. Overcrowded conditions where the posted maximum occupant load is exceeded.
12. Locked or inoperative designated fire exits.

**F-110.2 Maintenance.** The owner shall be responsible for the safe and proper maintenance of the structure, premises or lot at all times. In existing structures, the fire protection equipment systems or devices, means of egress and safeguards required by this code or a previous statute, code or other District of Columbia municipal regulation, shall be maintained in good working order.

**F-110.2.1 Occupant Responsibility.** If an owner, tenant or other legitimate occupant of a structure creates conditions in violation of this code by virtue of storage, handling and use of substances, materials, devices and appliances, the owner, tenant or occupant shall be held responsible for the abatement of said hazardous conditions.

**F-110.3 Unsafe Conditions.** All structures or existing equipment that are or hereafter become unsafe or deficient in adequate means of egress facilities, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or by reason of illegal or improper use or occupancy or inadequate maintenance, or which sustained significant structural damage by reason of fire, explosion, or natural disaster, shall be deemed an unsafe condition. A vacant structure, or portion thereof, unguarded or open at the door or window, shall be deemed a fire hazard and unsafe within the meaning of this code. Unsafe structures or equipment shall be reported to the building official who shall take appropriate action as deemed necessary under the provisions of the building code listed in Chapter 45 to secure abatement by repair or by demolition.

**F-110.3.1 Special Measures.** Temporary special fire protection measures shall be taken when adequate fire protection is not being provided or hazardous or dangerous conditions exist. Installation of special fire protection equipment is one of the available special measures. Special fire protection equipment shall be installed in accordance with the requirements of this code and the building code listed in Chapter 45.

## **SECTION F-111 EMERGENCY MEASURES**

**F-111.1 Evacuation.** When, in the opinion of the code official, there is imminent danger to the

occupants or those in the proximity of any structure or premises because of unsafe structural conditions, or inadequacy of any means of egress, or the presence of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials, the code official shall order the immediate evacuation of said structure or premises. All of the occupants so notified shall immediately leave the structure or premises and persons shall not enter or re-enter until authorized to do so by the code official.

**F-111.2. Unlawful Continuance.** Any person who shall refuse to leave, interfere with the evacuation of other occupants or continue any operation after having been given an evacuation order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a misdemeanor.

## **SECTION F-112 VIOLATIONS**

**F-112.1 Notice of Violation.** Whenever the code official observes an apparent or actual violation of a provision of this code or other codes or ordinances under the code official's jurisdiction, the code official shall prepare a written notice of violation citing the relevant code section, describing the conditions deemed unsafe and specifying time limits for the re-inspection of same to insure that the required repairs or improvements have been made to render the structure or premises safe and secure.

**F-112.1.1 Service.** A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by personal service, mail, or by delivering the same to, and leaving it at the premises, with a person of responsibility over sixteen (16) years old residing or employed therein. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both.

**F-112.1.2 Revocation of Notice.** If the owner, tenant or occupant of a building, or any person chargeable hereunder, is aggrieved by an order issued under the authority of Section F-110.0, and undue hardship would result from following appeals process of Section F-113.0, he or she may, within seventy-two (72) hours from the time such order is issued (excluding Saturdays, Sundays, and legal holidays), appeal from such order to the code official. Unless said order is revoked or suspended by the code official, it shall remain in force and be forthwith complied with.

**F-112.1.3 Notification of Residential Tenants.** The code official shall notify the occupants of dwelling units, in buildings where a written notice issued, by affixing two (2) copies thereof in a conspicuous place at the principal entrance of the building, as well as, one (1) copy in a conspicuous place in the area where tenant mail boxes are located.

**F-112.1.4 Failure to Issue a Notice.** Issuance of a notice of violation pursuant to this subsection is at the discretion of the code official. Failure to give a notice of violation shall not be a bar to any criminal prosecution, civil action, or civil infraction proceeding brought under this code.

**F-112.2 Failure to Correct Violations.** If the notice of violation is not complied with as

specified by the code official, the code official shall, first, issue a collateral citation, then if violations are not corrected as specified, request the Corporation Counsel to institute the appropriate legal proceedings to restrain, correct or abate such violation or to require removal or termination of the unlawful use of the building or structure in violation of the provisions of this code or of any order or direction made pursuant thereto. The police department shall be requested by the code official to make arrests for any offense against this code or orders of the code official affecting the immediate safety of the public.

**F-112.3 Penalty for Violations.** Any person, firm, or corporation violating any of the provisions of this code or failing to comply with any order issued pursuant to any section thereof, upon conviction thereof shall be punished by a fine of not more than three hundred dollars (\$300) or imprisonment for not more than ninety (90) days, or both. Each day that a violation continues, after a service of notice as provided in this code shall be deemed a separate offense.

**F-112.4 Civil Infractions.** Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this code, or any rules or regulations issued under authority of this code or pursuant to Title I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, D.C. Law 6-42, D.C. Code, sec. 6-2700 *et seq.*

**F-112.5 Unsafe Conditions.** When any owner or occupant fails or refuses to comply with an order issued under Section F-110.0, and when in the opinion of the code official, there exists an actual or potential danger to life, the code official has the authority to order the immediate evacuation of such building or part thereof until such condition is remedied.

**F-112.6 Abatement of Violations.** The imposition of the penalties herein described shall not prevent the Corporation Counsel from instituting appropriate action to prevent unlawful construction or to restrain, correct, or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, illegal conduct of business or illegal occupancy of a structure on or about any premises.

**F-112.7 Obstruction or Interference:** Any owner, tenant or occupant of any building or premises, or other person chargeable under the authority of this code, who is convicted of willfully obstructing or interfering with the code official in the performance of the code official's duties, shall be punished by a fine of not more than \$300, or imprisonment for not more than ninety (90) days or both.

## **SECTION F-113 MEANS OF APPEALS**

**F-113.1 Appeals within the Department.** The owner of a building or structure or any person suffering a legal wrong or adversely affected or aggrieved by an action of the code official, may initiate an appeal within the Department, from a stop work order, official interpretation, refusal to grant an approval or modification, or from the issuance or denial of a permit. Claimants shall appeal using a form provided by the code official, on which they shall state the grounds for the appeal. The appeal shall be filed within 15 days from the date of the wrong, order, interpretation, denial of approval or modification, or permit being appealed.

**F-113.1.1 Action on Appeal.** Within three (3) working days of receipt of the appeals form, the reviewing official shall affirm, modify, or reverse the previous action or decision. If the reviewing official affirms or modifies the previous action or decision, the claimant may request a review of the matter by the code official. Further, if the

reviewing official does not act upon the appeal within the three working day period, the decision will be deemed affirmed and the claimant may proceed to request review by the code official. The code official will act on the request within an additional three (3) working days. The decision of the code official shall be the final decision of the Department. If the code official does not act within the three working day period, or denies the appeal, the claimant may appeal the matter directly to the Board of Appeals and Review.

**F-113.1.2 Official Notice of Action.** The official inspector, or other person whose action or decision is being appealed shall provide the claimant written notice of the action or decision, which shall state at a minimum the name of the claimant, address of the property in question, nature of violation or non-compliance, section of the Construction Codes providing the basis for the action or decision taken, and the reviewing official within the Department to whom the appeal should be taken.

**F-113.2 Appeal to Board of Appeals and Review.** The owner of a building or structure or any person suffering a legal wrong or adversely affected or aggrieved by a final decision of the code official as set forth above in Section 113.1 may appeal to the D.C. Board of Appeals and Review. The appeal shall specify that the Construction Codes or the rules legally adopted there under have been incorrectly interpreted or applied, the provisions of the Construction Codes do not fully apply, or an equally good or better form of construction can be used.

**F-113.2.1 Hearings.** All hearings before the Board of Appeals and Review shall be held in accordance with the rules of procedure of that Board.

**F-113.3 Enforcement of Decision.** The code official shall take immediate action in accordance with the decision of the Board of Appeals and Review.

**F-113.4 Limitations on Authority.** An application for appeal shall be based on a claim that the true intent of the Fire Prevention Code or the rules legally adopted there under have been incorrectly interpreted, that the provisions of the Fire Prevention Code do not fully apply, or that an equally good or better form of construction can be used.

## **SECTION F-114 STOP WORK ORDER**

**F-114.1 Order.** Whenever the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**F-114.2 Issuance.** A stop work order shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work is authorized to resume.

**F-114.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work, but shall follow-up with a written stop work order within 24 hours.

**F-114.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a

violation or unsafe condition, shall be liable to a fine of not more than \$300, or imprisonment for not more than ninety (90) days, or both.